

1873-010 Chancery Causes: Litton Wood & Co] vs. Adm. of Wilkerson S. McElroy & Co
Lee Co.

Litton, Wood

CA-Debt

T-Property

To the Honorable Henry J. Morgan Judge of the County Court of Lee County Virginia:

The Bill of Complaint of Andrew J. Litton John G. Wood and Harry D. Litton late Merchants and partners in trade under the firm name and Style of Litton Wood & Co who sue for the benefit of themselves and the other Creditors of the estate of Wilkerson S. McElroy deceased humbly complaining respectfully represents that at the March term 1867 of the County Court of Lee County they obtained a Judgment against the Said Wilkerson S. McElroy for the Sum of \$20.34 with interest thereon from the 11th day of April 1862 till paid and \$5.93 for their Costs and afterwards about the 22nd day of August 1867 the Said Wilkerson S. McElroy departed this life and on the 21st day of October 1867 one Samuel D. McElroy took the oath and was appointed as his administrator and still continues as such. and one Arthur J. B. McElroy became his ~~and~~ security in his administration bond. Your Orators aver that the Said Wilkerson S. McElroy during his lifetime nor the Said Samuel D. McElroy his administrator since his death, ^{nor his said security} have not paid the Said Judgment or any part thereof although often requested ^{to do so} and the same is still entirely unpaid. Your Orator herewith files a Copy of Said Judgment marked (A) and a Copy of the appraisement bill marked (B) and a Copy of the Sale bill marked (C) and by reference to Said Sale bill it will be seen that there went into the hands of the Said Administrator the Sum of \$388.58 besides a considerable amount of personal assets not accounted for by him. Your Orator alleges that there are many other Claims against the Said estate that are still unpaid and that a bill in Chancery is the most proper expeditious and less expensive mode of settling the Said Claims and they further allege that although the Said Samuel D. McElroy was appointed and qualified as administrator of Said estate on the 21st day of October in the year 1867

copy of Bill of Complaint according to C

Yet they aver that he has never paid any of the Claims
Against his decedents estate nor has he ever yet settled
his administration account. Your Orators further al-
lege that the Said Wilkerson S. McElroy left at his death
the following infant Children who are his heirs and
who are interested in his estate to wit Boyd McElroy,
George S. McElroy, Henry H. McElroy, Emmet W. McElroy, &
Mollie S. McElroy who are all still under 21 years of
age. Now the object of this bill is to have a settle-
ment of the administration account of the estate of Wilkerson
S. McElroy decd. and the payment of the Claims against
Said estate and a full and complete discovery of the
real and personal assets belonging to Said estate.

Your Orators being without an adequate remedy
at law and best relivable in a Court of Chancery
their prayer therefor is that the Said Samuel D. Mc-
Elroy administrator of the estate of Wilkerson S. McElroy
and his Security as such ^{and others J. B. McElroy} deceased, and his heirs to wit the Said Boyd Mc-
Elroy, George S. McElroy, Henry H. McElroy Emmet W.
McElroy and Mollie S. McElroy be made the parties
Defendant to this bill and that they be summoned and
required to answer the same upon their oaths and that
a Guardian Ad Litem be appointed to appear answer
and defend in this Cause for the infant Defendants
and that the Said ~~Wilkerson~~ & Samuel D. McElroy
Admin as aforesaid be required to discover the amount
of personal assets that went into his hands ^{not embraced in the sale or administration}
and all real and personal assets that went into his hands
and belonging to Said estate and that he be required
to settle his administration account and pay the Claims
against Said estate and that for this purpose a Com-
missioner be appointed to take State and settle his
administration accounts and convene the Creditors
of Said estate and Marshall the real and personal
assets of Said estate and ^{also the} outstanding debts against

the same and such other further and general relief be
extended to your Orators as may be consistent with equity
and justice and best suited to their case. May the
Commonwealths writ of Spia issue directed &c.

Sharp & Miller
for Complt

G 18.21
 A 15.00
 S. 2.50
 As. A. L. 5.00
 Comr. 10.00
 \$ 42.71

Littow Wood & Co

vs. Bill in Chy.

Samuel J. McCloy
Admr. &c. & others

- 1872 May, Bill filed, Shs. Execd,
 on S.D. McCloy & Decree nisi
 " June Decree nisi Comp & Jas
 H. Orr appointed Guardian
 for infants defendants, who
 filed his answer, & cause set
 for hearing by Plaintiff.
 1872 June Term Decree for acct
 " Continued
 " July, Shs. Execd on S.D. McCloy
 " Decree nisi.
 " Aug. Decree nisi Comp & Jas
 " July & Aug Terms Contd.
 " Sept, Oct, Nov & Dec Contd.
 1873 Jan'y, Continued
 " Feb Decree Final.

To the Honorable Henry J. Morgan Judge of
the County Court of Lee County Va.

The joint answer of Boyd M. McElroy, George
S. McElroy, Henry H. McElroy, Emmet W. McElroy
and Molly S. McElroy infant heirs of Wilkerson
McElroy decd. by ~~David Miller~~ ^{James W. Orr} their guardian
^{ad litem} to the bill filed in the Chancery Court of
Lee County ~~Court~~ against these debts and
others by Litton Wood & Co.

and for answer thereto these Defendants say
that they reserve to themselves now and at
all times hereafter the full benefit of the
usual exceptions to Complainants bill and
further say that they are infants of tender years
and have not the judgment of persons of mature
years and therefore they neither admit nor
deny the allegations contained in Complainants ^{bill},
but the Courts of Chancery being the peculiar
Guardians of the rights and interests of infants
these respondents ask the protection of the Court
in any and all things that affect their
rights in the premises and they further ask
that the Complainants be required to proceed
according to the strict rules of equity and
justice and having answered as fully as they
are advised it is material for them to answer.
They pray to be dismissed with their Costs.

James W. Orr

Guardian ad litem,

Littow Wood & Co Compls:

against

Samuel D. McElroy Admr. &c. & others Defts

} Decree final

This Cause came on this day again to be heard upon the papers formerly read in the Cause and the Report and papers accompanying the Same of James W. Orr a Special Comr. appointed by a former decree to take an account in this Cause and it appearing to the Court that said report had been filed in this Cause ten days before this term of the Court and no exceptions having been filed thereto an consideration of which it is adjudged ordered and decreed by the Court that said report be and is hereby confirmed and that the Claims set forth by said Commissioner in his Statement of debts against the decedent's estate with interest respectively on each Claim be allowed against the estate of Wilkerson S. McElroy deceased and it further appearing to the Court that there is in the hands of Samuel D. McElroy administrator of the estate of Wilkerson S. McElroy deceased the Sum of \$388.58½ principal with interest thereon from the 2nd day of November 1868 due the Creditors of said estate It is adjudged ordered and decreed that said ^{the plaintiffs} Creditors, recover the Same of Defendant Samuel D. McElroy and Arthur J. B. McElroy which, after the full payment of the Costs of this Suit ^{Exclusive of} ~~and~~ the expenses of Collecting shall be distributed ratably amongst the Several Creditors as follows: To Complainants Littow Wood & Co \$24.92 To Henry C. Slimp \$9.76 To Martin Drake \$127.88

To Andrew Bumgarner And Jane Warner Administrators
of the estate of Ira Warner deceased \$18.97 To Everett
& Carnes \$17.94 To Cook & Henry \$3.78 To John Green
\$9.55 To James W. Orr \$4.22 To A. J. B. McElroy
\$32.55 Loyd & Allen \$13.37 To Henry J. Morgan admr.
&c. \$2.39 To S. D. McElroy \$145.92 And interest
on each of these amounts respectively from this date. And
to enforce the Collection of these Claims pro rata the
Clerk is directed to issue an execution against Samuel
D. McElroy and Arthur J. B. McElroy for the Sum of
\$388.58½ with interest thereon from the 2nd day of
November 1868 till paid and the Sheriff is directed to
Collect the Same and pay it to the parties entitled
notably after first paying the full Costs of this Suit
~~Exclusive of~~ ~~the~~ the expenses of Collecting and nothing further
appearing necessary in this Cause the Same is Stricken
from the docket with leave to reinstate the Same
on the Docket for the purpose of enforcing this
decree.

Litton Wood & Co.

Decree final

Wt.

Samuel D. McElroy
& others

Littow Wood & Co for & C. P'ffs

against

Samuel S. McElroy admr. & C. & others Defts

} Decree final

This Cause came on this day to be further heard upon the papers formerly read in the Cause and the report of Special Commr. James W. Orr and the exhibits therewith and was argued by Counsel and the said report having been filed the time required by law and unexcepted to is confirmed, On Consideration of all which and pursuant thereto It is adjudged ordered and decreed that Defendants Samuel S. McElroy and Arthur J. B. McElroy his Security pay to the plaintiffs for the benefit of themselves and the creditors of Milerson S. McElroy decd as shown in Statement B. filed with said Commr. Report the Sum of \$456.39 with legal interest in \$368.01 part thereof from the second day of November 1872 till paid and ~~the~~ execution is awarded against said Defendants therefor and when the same shall be collected by the Sheriff of this County he will first pay the taxable Costs of this Suit, ^{to the parties entitled thereto} Secondly he will allow the said Samuel S. McElroy to retain out of said Sum \$145.92 on account of the Claims ^{against} ~~of~~ his intestate paid by him in full as shown by Commr. Orr in his said report and in the third place he will pay to the other Creditors as follows to wit: To Littow Wood & Co \$24.92, to H. C. Slings \$9.76, to Martin Drake \$127.88, To the Admr of Ira Warner decd. \$18.97, to Everett & Coines \$12.94, to Cook & Henry \$3.78, to John Green \$9.55, to J. W. Orr \$4.22, to A. J. B. McElroy \$32.55, to Loyd Hallen \$13.37, to H. J. Morgan Admr. & C. \$2.39, and to Patrick Hagan \$ and no further action being necessary this Cause is stricken from the Docket.

Littor Wood & Co

vs } Decm

S. D. McElroy & Co

Entered Order Book page
214.

James W. Orr, Clerk.

Entered this Decm

H. Morgan

Feb. 20 - 1873

Littow Wood & Co

Complt

against

Samuel D. McElroy admr & Co. & others Defts

} Decree for acct

This Cause Came on this day to be heard upon the bill and exhibits therewith and the answer of the infant Defendants by James M. Orr their Guardian ad litem and was argued by Counsel and it appearing to the Court that the Deft. Samuel D. McElroy administrator of the estate of Milkerson S. McElroy deceased has been duly served with process and that this Cause has been regularly matured at rules in the Clerks office and set for hearing by the plaintiffs and the said Samuel D. McElroy having still failed to appear and answer the Complainants' bill It is therefore taken for Confessed as to him, On Consideration of all which it is adjudged ordered and decreed that James M. Orr be and is hereby appointed a Special Commissioner whose duty it shall be to take State and settle the Administration account of the estate of Milkerson S. McElroy deceased and Marshall all the real and personal assets belonging to said estate and to convene the Creditors of said estate and ascertain the outstanding debts against said estate after advertising the time and place of his proceedings under this decree at least 20 days on the front door of the Courthouse & at some other public place in said County and he will make an account and report and return the same to a future term of this Court and the Cause is Continued.

Litton Wood & Co.

vs. } Decree for account

Saml. D. McElroy
Admr. & Co. others

Entered Order Book page
66 & 67.

James W Orr, Clerk.

Entered this decree
Henry J. Marquie
June 22nd 1872

Littell Wood & Co

Plffs

against

In Chy.

Samuel D. McElroy Admr & et als Defts

To the Honorable Henry J. Morgan Judge of Lee County Court: The undersigned who was, by a decree of your honor, rendered on the 22nd day of June 1872, in the above styled cause, appointed a special Commissioner to take, state and settle the administration account of the estate of Wilkerson S. McElroy deceased, and marshal all the real and personal assets belonging to said estate, and to convene the creditors of said estate, and ascertain the outstanding debts against the same, respectfully reports; that, after having given the notice required in said decree, I proceeded on the 7th day of August 1872 and subsequent days to discharge the duties therein required. I have made a statement (herewith filed marked A.) of the administration account of said Administrator, in which I have charged him with the amount of the Sale bill of the personal property of the decedent Wilkerson S. McElroy, sold by said Admr on the 2nd day of November 1867, and due twelve months after said date, and which amounts to the sum of \$388.58 $\frac{1}{2}$ drawing interest from the 2nd day of Nov 1868, and which is all the assets with which said Admr is chargeable so far as I am informed. It appears that said Admr has never made any settlement of his administration account with a Commissioner, but has gone on and disbursed in payment of the creditors of said estate nearly or quite the full amount that came into his hands but has made an improper disbursement paying some

claims in full, and nothing upon others, but in view of all the circumstances I think it proper, and have allowed him credit for 5 per cent Commission on the amount of the sale bill, I have also allowed him credit for amount paid your Court as late Sheriff. Taxes against the decedent for the year 1867, See voucher (501). I have made five annual statements of said administration account up to the 2nd day of November 1872, and resulting as will be seen, by reference thereto, by finding in the Admrs hands on that day, for distribution among the creditors of said estate, the sum of \$456.39. A statement of the outstanding debts against said estate is herewith filed marked (B) in which is embraced sundry amounts in favor of the Admr on account of disbursements made by him to various creditors of said estate, as is also ^{embraced therein} the amount due other creditors whose claims have been presented, and which debts amount in the aggregate, principal and Interest on the 2nd day of November 1872 to the sum of \$649.58. to which I have added \$42.83 the estimated costs of this suit, making the liabilities of said estate on the 2nd day of Nov 1872 amount to the sum of \$692.41 to which may be applied the said sum of \$456.39 found in the Admr's hands on that day, and which will pay ^{after paying first the costs of this suit,} 63 $\frac{2}{3}$ per cent thereof. I have prepared and filed with this report marked (C) a statement of the pro rata share to which each creditor is entitled on the 2nd day of Nov 1872 out of the said sum of \$456.39 found in the Admr's hands on that day. The decedent W. S. McElroy at his death

left no real Estate whatever, and so far as your
Court is advised, the personal assets that went into
his Admr's hands are all the means by which
the creditors of said estate can be in any degree paid
and satisfied, and these are by far insufficient.
All of which is respectfully submitted.

James W Orr, Special
Commissioner

3

Tilton Wood & Co

vs 3 Cairns Report

J. D. McElroy Admors & Co

Filed Feb 6th 1873.

James W Orr Clerk

Cairns Fee \$10.50

Virginia

That a County Court continued and held for Lee County, at
the Court House thereof on Saturday the 23d day of March 1867.

Litton Wood & Co

Plaintiff

against

Wilkinson S. McElroy

Defendant.

}
} In Debt.

The defendant not appearing it is considered by the Court that the
judgment obtained against him in the Clerk's Office for \$20.24, the
debt in the declaration mentioned, with legal interest thereon from the 11th
day of April 1862 and the costs, be made final.

A copy

Teste James W. Orr, Clerk.

C. 1.98
D. 2.50
S. .50
S. .50
T. 5.48
T. .50
\$5.98

Littton Wood & Co
vs & copy of Judgment
Witherson S. M. Elroy

(Exhibit A)

20 cts

The following Articles of property belonging to the estate of William S. McElroy deceased were appraised by us Saturday October the 26th 1867 viz:-

One Heaton's Farmer (barshare) Plow, one hill side	20.00
One plowstock (shovel) and fork 1.00	
Leat of carpenter's tools 16.00	17-
Leat of augers 1.50	
One mowing blade & Stock 15.00	1.50
One clock 2.00	
one watch 15.00	18.00
A lot of 9 Shovels & saw 13.00	
One filly 90.00	
one horse 100.00	203-
A lot of 17 sheep 25.50	
one calf 3.50	
Pair of stalyards 2.00	37.00

The following articles were valued by us on November 2d and belonging to said estate viz:-

One Laidler 10.00	
Double Bl. shot-gun 10.00	
fifth chain 2.00	22.00
Drawing knife 1.25	
Mattock 1.25	2.50
One shovel & set One do 50 cts	
Rifle barrel 2.50	3.00
Total	320.10

(Signed) James M. McElroy
 Cowan McElroy } Appraisers
 Andrew L. Wilson }

Wilkerson S. M. Elroy
copy of apprehension Bill
Personal Property

(Exhibit B)

The following is a bill of the articles sold by me as the property of
 Watkinson S. McElroy decd. at the late residence of the same to the highest
 bidder together with the amt. each article sold for on this the 22d day of
 November 1867, also to whom sold, to wit:

1 Barshare plow	\$6.00	}	A. J. R. McElroy \$ 22.00
1 Hellside plow	2.00		
1 Drawing knife	2.00		
1 Shovel dirt	.25		
2 Shoats	11.00		
1 Mowing Scythe	1.75		

1 Plow Stock & fork 1.00 To John McElroy 1.00

1 3/4 Auger	.26	}	Alexander L. Arnold 130.86
1 Bay filly	130.50		

1 Auger	.60	}	A. J. Stout 1.80
1 do	.85		
1 Dirt Shovel	.25		

1 Carpenter's Square 1.50 To L. L. Cecil 1.50

The remainder of carpnt. tools 12.00 To L. M. McElroy 12.00

1 pr Stud yards 1.50 To Henry Bunnigardner 1.50

1 Mattock 1.35 To L. A. Harbour 1.35

1 Saddle 15.00 To G. D. Stout 15.00

1 Clock 2.25	}	J. W. Orr 32.25
1 Double Bell Shotgun 9.75		
1 Rifle Barrel 9.10		
8 Sheep 16.25		

1 Watch 10.25	Charles Stout	\$10.25
1 Fifth Chain 1.87 1/2	Sam. J. Henry	1.87 1/2
3 Head Hags 2.00	Widow	2.00
1 Bone Horse 132.00		132.00
1 White calf 5.10	Sam. Wilson	5.10
9 Sheep 15.00	Calumny Hodge	15.00

Amounting in all to \$388.58

Given under our hands this day and date above named

S. D. M. Elroy Admr.
L. L. Hubbard Secy

Deo County Court Clerk's Office May 24th 1868
The foregoing sale bill of the personal property of the
estate of William S. M. Elroy deceased was this day
admitted to record.

Test Henry J. Margen Clerk

A copy

Test Lemuel A. Orr, Clerk

Witherson S. M. Elroy dec'd.
Copy of Sale Bill of
Personal Property

Filed

1872

James H. Orr, Clk.

(Exhibit C)

Samuel D. McElroy Admin of the Est of Wilkes and McElroy Decd.
 To the Creditors of said Estate

1868			
Nov 2nd	To amount of Sale Bill due Nov 2nd 1868		\$388.58 1/2
	By 5 per cent Com on \$388.58 1/2 amt of Sale Bill.	\$19.43	
	" this sum unaccounted for this year to square	369.15 1/2	388.58 1/2
1869			
Nov 2nd	To this sum unaccounted for as per last Statement		369.15 1/2
	Interest on same to Nov 2nd 1869.	\$22 1/4	
	By this sum paid Taxes to Jas H Orr late Shff	1.11	
	" Interest on same to Nov 2nd 1869.	3 1/2	
	" this sum of principal Money unacctd for to square	368.01	369.15 1/2
1870			
Nov 2nd	To this sum unacctd for as per last Statement		368.01
	Interest on same to Nov 2nd 1870.	22.05	
	By this sum ^{principal Money} unacctd for this year to square	368.01	
1871			
Nov 2nd	To this sum unacctd for as per last Statement		368.01
	Interest on same to Nov 2nd 1871.	22.05	
	By this sum of principal Money unacctd for to square	368.01	
1872			
Nov 2nd	To this sum unaccounted for as per last Statement.		368.01
	Interest on same to Nov 2nd 1872.	22.05	
	Total amount of accumulated Int Nov 2nd 1872	88.38	88.38
	Total amount of principal & Interest Nov 2nd 1872		\$456.39

L. D. McElroy Admin of the S. H. McElroy
with Statement of his administration
Account
James W. Orr Special Commr

(A)

Mr Wilkerson S. M. Elroy. Tax in Lee County for 1867.

/ Titheable & 50 per. ct on State Tax for County Levy, 1.37

Capitation & Personal property Tax.

1.74

\$ 3.11

Land

do

Recd Payment-

J. W. Orr, S. & Co.

W. K. Sord

McCloy

\$3.11

or 2.00 Balance

and claim

Received of S D McCloy Adm'r of the Estate
of W D McCloy Sec One dollar and eleven
cents the Balance for this Ticket

May 19th 1869

J Worr S L C

The Estate of Wilkerson J. McElroy deceased.

To consider persons his Creditors

- | | | |
|----|---|--------|
| 1. | For judgment obtained by Lillian Wood & Co
on the 23 rd day of March 1867 against Wilkerson
J. McElroy for \$20.34 | 20.34 |
| " | Interest thereon ^{from April 11th 1862} to the 2 nd day of Nov 1872. | 12.88 |
| " | Costs in obtaining said judgment | 8.73 |
| 2. | For judgment obtained by Henry C. Slough on the
26 th day of June 1867 against Samuel D. McEl-
roy Admr of the said W. J. McElroy decd | 6.25 |
| " | Interest thereon ^{from Jan 9th 1865} to November 2 nd 1872 | 2.96 |
| " | Costs of obtaining said judgment | 6.13 |
| 3. | " Note Executed on the 31 st day of Decr 1861
to Martin Drake with A. J. B. McElroy security
due the first day of January 1863, with interest
from date for \$150.00, Subject to a credit of
\$60.00 paid by said A. J. B. McElroy June 17 th 1872.
leaving a balance due at the date of said Credit of | 168.35 |
| " | Interest on same to Nov 2 nd 1872. | 38.47 |
| 4. | " Bal of Note executed on the 11 th day of Sept
1860 to Ira Warner, due January 1 st 1861.
for \$60.00, Subject to a credit of \$30.00 paid
Dec 26 th 1861, \$20.00 paid by S. D. McElroy Admr
of said Est Jan 24 th 1871 & \$5.00 paid by said
Admr July 13 th 1872, leaving a balance at that date of | 29.45 |
| " | Interest on same to Nov 2 nd 1872. | 5.1 |

	For Amount of Principal brought forward	\$ 233.48	
	" " " Interest " "	\$ 51.81	
5.	" Note executed on the 18th of Nov 1861 to Everett & Barnes, due one day after date.		17.00
	" Interest on same to Nov 2nd 1872.	11.17	
6.	" Bal of note executed on the 15th of June 1866 to Lem & Henry, due one day after date, for \$6.50 Subject to a credit of \$4.50 paid by S. D. McElroy Admr of said Est Aug 20th 1869, leaving a balance due at that date of		4.20
	" Interest thereon to Nov 2nd 1872.	.80	
7.	" Account due John Green Aug 20th 1868.		12.00
	" Interest on same to Nov 2nd 1872.	3.00	
8.	" Bal of note executed Aug 15th 1866 to Wm Laugherty for \$9.00 due one day after date Subject to a credit of \$8.00 paid by S. D. McElroy Admr &c May 19th 1869, leaving a balance due at that date of \$8.50 which note belongs to J. W. Orr.		8.50
	" Interest on same to Nov 2nd 1872	1.13	
9.	" Amount due A. J. B. McElroy for payment made by him June 17th 1872, as security for W. S. McElroy on note to Martin Drake.		50.00
	" Interest on same to Nov 2nd 1872	1.12	
10.	" Amount due S. D. McElroy Admr of W. S.		

		McElroy deed, paid by him on note executed by said decedent & A. J. B. McElroy to Alexander Lutton April 30th 1870.		35.00
"		Interest on same to Nov 2nd 1872.	5.27	
11.	"	Amount due same for note paid to Q. H. Stand, executed by decedent & due Aug 31st 1868.		11.11
"		Interest on same to Nov 2nd 1872.	4.77	
12.	"	Amount due same for account paid Dr C. Carroll October 18th 1869.		6.00
"		Interest on same to Nov 2nd 1872.	1.10	
13.	"	Amount due same for payment to David Jesse Oct 30th 1869.		3.00
"		Interest on same to Nov 2nd 1872.	.18	
14.	"	Amount due same for amt paid C. Young & Jan Decr 21st 1868, Decr 16th 1869, & May 17th 1872. three payments, this sum.		45.00
"		Interest on same to Nov 2nd 1872.	5.15	
15.	"	Amount due same for amt paid Wm H. Warner Adm of Ira Warner decd July 18th 1872.		25.00
"		Interest on same to Nov 2nd 1872.	.45	
16.	"	Amount due same for amt paid J. Lutton an debt due Leach & Young, Oct 1st 1869.		6.56
"		Interest on same to Nov 2nd 1872.	1.21	

	For Amount of principal brought forward	\$453.82
	" " " Interest " "	\$ 87.16
17.	" Amount due said Adm ^r for amt paid James & Henry Sumner &c Aug 20th 1869.	4.80
	" Interest on same to Nov 2nd 1872.	.91
18.	" Amount due same for amt paid to John Smith Adm ^r of James P Smith decd. on estate executed by W.S. McElroy & S.D. McElroy on the 30th Aug 1862. due January 1st 1863.	11.00
	" Interest on same to Nov 2nd 1872.	6.50
19.	" Amount due same for amt paid James W Orr May 17th 1869. this sum.	5.00
	" Interest on same to Nov 2nd 1872.	1.03
20.	" Amount due same for amt paid John Gilley May 17th 1869. and January 21st 1870.	21.00
	" Interest on same to Nov 2nd 1872.	3.21
21.	" Amount due same for amt paid Wm & D Bridmore Sept 5th 1871.	23.00
	" Interest on same to Nov 2nd 1872.	1.61
22.	Amount due same for amt paid J.W. Orr late Siff for the year 1869. May 17th 1869.	7.44
	Interest on same to Nov 2nd 1872.	.22

22.	For Amount due said Adm ^r paid by him to Jas H Orr late Shff for Johnson & Davis	1.80
"	Interest on same to Nov 2nd 1872	.36
	Total amount of principal Nov 2nd 1872	\$520.53
"	" " " Interest " " "	100.64
"	" " " Principal & Interest " " "	\$621.17
"	Estimated Costs of suit	45.00
"	Total amt principal, Interest & costs.	\$666.17
23.	" Amount due Lloyd & Allen on account due March 1866.	18.00
	Interest on same to Nov 2nd 1872.	6.00
24.	" And due H. J. Morgan Adm ^r of W ^m Carnes dec'd on date as security of H. L. Hugate due August 6th 1864.	7.50
	Interest on same to Nov 2nd 1872.	1.25
	Total amt principal Interest & Costs Nov 2nd 1872	\$698.92
25.	" And due P. Hagan on note executed to Jasper Partridge January 1868	2.00
	Interest on same to Nov 2nd 1873.	1.66
	Total amt principal & Interest Nov 2nd 1873	\$694.58
	Deduct error in costs this sum	2.17
		\$692.41

Sundry Persons
Statement of Debtors
W. S. McElroy Esq.

(B)

Vouchers from 1
to 25. Inclusive.

Virginia.

At a County Court continued and held for Lee County, at
the Court House thereof, on Saturday the 22d day of March 1862.

Litton, Wood & Co.

Plaintiff

Against

Wilkinson L. McElroy

Defendant

} For Debt

The defendant not appearing it is considered by the Court that the
judgment obtained against him in the Clerk's Office for \$20.34, the
Debt in the declaration mentioned, with legal interest thereon from
the 11th day of April 1862, and the costs, be made final.

Q. T. copy

Yester James W. Orr Clerk.

b. 1.93
a. 2.50
S. .50
S. .50
S. .50
\$ 5.93

Littton Wood & Co.
vs ³/₂ Copy of Judgment.
Wilkinson & M^cEhoy

(Exhibit 1)

Virginia

At a County Court continued and held for Lee County, at
the Court house thereof on Saturday the 25th day of June 1869

Henry C. Semp

Plaintiff

against

1st Debt

Samuel D. McElroy Adm^r &c

Defendant

The defendant not appearing it is considered, it is considered by the
Court, that the Judgment obtained against him in the Clerk's Office for
\$312.12 for the current Confederate money in the declaration mentioned
with legal interest thereon from the 9th day of January 1865 till paid
and the costs be made final, but which is to be discharged
by the payment of \$6.25 the value of said \$312.12 on the
9th day of January 1865 with interest thereon from that
day and the costs aforesaid.

A copy

Liste James W. Orr Clerk

\$2.63

\$2.50

\$.50

\$.50

\$6.12

Henry C. Plump
vs. E. C. Plump
H. S. M. C. Plump Adm. 70

(Exhibit 2)

By the first day of January Next. We or
either of us bind ourselves here to pay Martin
Lorake one hundred and fifty Dollars for value received
bearing interest from date this up our hands and seal
This 31 December 1867. New Jan 1869

A. S. McCleary Seal
A J B McCleary Seal

Bred it the within
day of April 1869

note fifty dollars this 5

at my house
(over)

W. S. McElroy
To State

\$150.00

\$ 2.00

Pattonsville January the 10th day 1838
One day after date for valy received I promise to pay
Jasper Partridge or order Two Dollars and
Witness my hand and seal etc

W. S. McAlray Secy

Wilkeson, McCleary
Dr. 3 Note
J. Partridge
\$ 2.00

2.00
36 1/2

2 36

(28)

August the 20 1868

W S Macelroy Estate indebted to
John Gaun for repairing one arch laying hard
th & bilding dry house ^{in Sept term Dec 1866} ~~in the fall of 1866~~
and amounting to \$12

Lee county to wit ~~at~~ this day John Gaun
personally appeared before me the under
signed Justice of the peace for said county
& made oath that the above account is a
just one & has no part bin paid her to fore
Given under m hand this 20 day of
August 1868

J Myers J P

RECEIVED

[Faint, mostly illegible handwriting at the top of the page, possibly a header or address.]

I, James W. McDonnell, do hereby certify that I know the fact that ~~James W. McDonnell~~
rendered the service charged for in the within accompanying
that I heard W. B. McElroy say some time after the death
was said that he was still living in London for the purpose
of helping the Good. I, James W. McDonnell, do hereby certify
James W. McDonnell

Sworn to & subscribed before me this, 11th, day of Feb'y 1873.
Jno. B. West, Notary Public for Lee County

Received of A. B. M^cElroy
\$ 50.00 on a note held a
gainst him & W. S. M^cElroy Deced^t
on the 3^d day of April 1869
of which this amount is cred^{ited}
on the said note. In hands of
Martin Drake, Seal this the
17 day of June 1872

Martin Drake

(No 9)

Receipt

L.
Martin

London

11.11
\$11.11 Due George W. How Eleven
Dollars and eleven Cents for value
received this 13th day of August 1886
Ellis

J. S. Hall

(2011)

\$160.00

\$160.00 One day after all were
or either of us binds ourselves here to
to pay Alexander Linton one hundred
and fifty dollars for value recd of
him as with our hands and seal
This Aug. 8th 1853

Alexander Linton seal
A. D. B. In original seal

Credit The within Not thirty five
Dollars this the 30th April 1870

(10/10)

W. J. M. Gray
2^d Note
\$16.00

Wilketson McCleeroy Dr in account with Dr Gasaway Carroll

1865	Decr 20 th to 1 visit to himself	\$ 2.00
	Decr 21 st to 1 visit to do	2.00
	Decr 24 to 1 visit to do	2.00

Lee County to wit this day Gasaway Carroll personally appeared before me a Justice of the peace for Lee County (va) and made oath that the above account is Just and true Given under my hand this 4th day of January 1868

W. Woodward J. P.

Received of Samuel D. McClary by the
hands of James W. Orr six dollars the amount
of the within account October 18th 1869.
Garvey Carroll

(No 12)

Wilkerson McClarys
Account } \$6.00.
G Carroll

I James W. Orr do swear that I was present and know
that the services charged for in the within account were
rendered. and I heard W. S. McClary say sometime after-
wards that the same was unpaid. So help me God.

James W. Orr.

Sworn to & subscribed before me this, 11 day of Febr, 1873.
Jos. B. West, Notary Public for Lee Co.

\$9.00 One day after date I bind my self
hereby to pay William Danmyhert
nine dollars for value received of him
as witness my hand and seal this the
12/3rd day of august 1866

W. M. Elroy Seal

May 19th 1869 exp'd \$5.00
W. S. McCleary & Co.
McCleary & Co.

(No 5)

W. S. McCleary
Co. Sole
McCleary & Co.

\$3.00

Rec^d of Samuel J McRoy Administrator
of the Estate of Wilkerson McRoy deceased
Three Dollars given under my hand this 30th day of Oct
1869

David Gessie

(20 15)

Received of S^r B. McElroy adm^r of W^rs.
McElroy deceased five dollar To
be credited on a bond held by us
on W^s & John McElroy This 21st of
Dec 1868

C. Young & Sons

Recd.

L. Young

\$5.00

Recd of Samuel B
Cray adm of W. S. C.
Cray est twenty dollars
to be placed to his cr
on a fourth coming
bond This 16th of Dec 1849

C. J. Longstreng

Received of Samuel D McElroy
Adm^r of W. S. McElroy decd Twenty dollars
to be placed as a cr. on a fourth
^{coming} bond held by us on said W. S.
and John McElroy This the
21st day of Nov. 1870 This is the
third receipt from us and three
payments is all the said S. D.
McElroy has made to us up
to this date given under our
hands This the 17th day of
May 1872 C. Youngman

(2014)

Received of S. D. In Croy A.D. of W.D. In Croy
as of direct dollars and fifty six cts in one of said
not executed to cash of Henry for \$10.06
executed December 16th 1859. This first Oct 1847
which I hold for collection

Jonathan Dalton Sec

(No 16)

Received of S. D. McElroy Adm^r of W. S. McElroy
estate twenty five dollars in part payment
of a note which I hold against said McElroy's
estate, July 18th, 1872

Wm H. Warner Adm^r
estate, of J. Warner, D^r

(No 18)

Received of S. D. Miller A.D. of Wm. Miller
four dollars & eight ¹⁰/₁₀₀ cts on a
Note executed to Cook & Henry for
\$6.50 Duv. gum 16th 1866

with a mort. is enter. as a credit
on the note this 22nd Aug 1869

Wm. Miller
Surviving partner of Cook & Henry

Receipt from
Henry & Co^{ts}
\$4.80

Mo 20 Aug 1869

(No 17)

Recd of S D McLevy A.D. of W. S. in ^{act} ~~Levy~~ ^{five}
dollars on a ~~not~~ ^{executed} to John Smith in his
life time this the 22nd day 1869

Jh C Sprinkle

V. C. Sprinkle
Rec'd \$5.00
2. May 1869

any one person any of said money
we or either of us Bind over selves
heirs &c to pay John Smyth Admr
of the estate of Jas P. Smyth the sum
of Eleven Dollars for value
of him this 30th day of Aug 1862

W. S. McElroy Seal
S. D. McElroy Seal

Credit the
within 80c
five dollars
this 22 May
1869

(81 24)

Receipt of S.D.M. Eng. A.D.D. off. W. S.M. Eng. est
five Dollars Tho 21st Jan 1870.

John Gilley

(Seal)

John Wiley
To Receipt
\$ 5.00

Received of D.D. McCreary A.D. of W.D. McCreary Jr.
fifteen Dollars on a note that he holds on his estate
given under my hand this 7th May 1869.

John H. Gilley (Seal)

(No 20)

John W. Gilley
Receipt \$15.00
7th May 1869

Received of Samuel D McElroy Admin of the Estate of
Wilkerson & McElroy deceased ^{of} Five dollars on a note executed
by W D McElroy in his life time to William Daugherty and
of which I am ^{now} the owner. May 19th 1869

J W Orr

Receipt of J. Worn
for \$5.00
This 19th Aug 1869

(No 19)

M^r Johnson Davis, Tax in Lee County for 1866

1 Fitheable, County Levy 1.47

1 Capitation Tax, — Personal property &c .33

Land

\$ 1.80

Received payment

J W Orr, S & C.

Johnson Davis

\$1.80

Recd of S. L. McElroy Admr of W. S. McElroy decd
\$1.80 the amt of the within Tax, which W. S.
McElroy was to pay me for Johnson Davis.
this May 19th 1869.

(No 22)

James W. Fox, Latt
S. L. C.

September 5th 1871

Received of Samuel D. McAlray administrator of the estate of Helkensen W. McAlray deceased, twenty three dollars which is credited on a note I hold against said administrator, for the sum of \$30, due one day after date and dated 2nd Aug. 1871, with interest from 1st Jan 1865; and thereon entered as follows to wit "Sept 5 1871. Cr. another note by coin twelve dollars by cash eleven dollars".

Samuel D. Maclellan

S. D. Trickett

To Recd \$23.00

S. D. McElroy admt.

Voucher No - 21

\$2.50

Twelve months after date we bind ourselves here to pay Henry
J. Morgan Administrator of William Carnes deceased Two dollars
and 50 cents for value received in trip of our hands and Seals Aug. the
6th 1863

(Signed) A C Fugate seal

(") W S McElroy Seal

The above is a copy of a note presented before ^{me} by H J Morgan who
retained the original to try to collect the same from A C Fugate
the principal therein if he could do so.

James W Orr. Special Comm.

Mr. S. M. E. Bay

Copy of Note

H. J. Morgan Adm'r & Co

(24)

Wilkerson S. McElroy

1866	To Lloyd & Allen	Dr.
Sept. 13 th	To order paid John Wilson	\$3.00
1864	July. " P. H. Allen To 2 visits to child @ \$2.50	5.00
"	" " for medicine for same	1.00
1866	March " " " 2 visits to wife @ \$2.50	5.00
"	" " " " medicine for "	<u>1.00</u>
		Total \$15.00

Virginia Lee County Court

Mrs. Sanna Milburn, personally appeared before the undersigned Com^r in Chancery of the Circuit Court of Lee County and made oath that that in the year 1866 one John Wilson worked for her late husband Wilkerson S. McElroy dead, and that at the time her then husband was in the habit of trading at the Store of Lloyd & Allen but that she has no recollection of her husband giving the order to Wilson referred to in the above account. She also remembers distinctly that Dr. P. H. Allen in the year 1864 paid 2 visits to her sick child and administered medicine to it, and she also remembers well that said Allen visited her twice as a physician in the year 1866 and gave to her medicine at the same time.

Given under my hand this 10th day of February 1873

Henry J. Morgan Com^r

Wth McElroy
acct: \$15.00

Layd & Allen
vs Acct \$15.00
W. S. McElroy Decd

90
45
135

(No 23.)

\$60.00 By the first day of January
next I bind myself here & to pay the
Worms sixty dollars for value rec^d of him
as witness my hand and seal this 11th Sep, 1860

W. S. McEdray (Seal)

Notes
W. S. McElroy

\$60

Received Jan

24th 1871, Twenty
dollars

Received July 18, 1872, five
dollars

Recd Dec 6-61
\$30

(No 4)

#17.00 One day after date I promise to
pay Ervitt + Carns Seventeen Dollars —

Value received Witness my hand & Seal
Novr. 18th 1861

W. S. McBroy Seal

(over)

N. S. McElroy
To { Note \$17.50
Everitt & Carries

Statement of the distributive share due each of the
Creditors of Wilkerson & McElroy decd. out of the
fund in the Admrs hands on the 2nd day of Nov 1872.

For payment of costs of suit	\$ 45.00
To Little Wood & Co 63 2/3 per cent of their judgment	\$ 24.92
" H. B. Slenp 63% per cent of the amt of his judgt.	9.76
" Martin Drake 63 2/3 per ct of the amt due him on note.	127.88
" The Est of Isa Warner 63 2/3 per ct of amt due on note	18.97
" Emeritt & Barnes 63 2/3 per ct of amt due on note	17.94
" ^{Bank of} James & Henry 63 2/3 per ct of amt bal due on note	3.78
" John Green 63 2/3 per ct of amt of his account	9.55
" James Morr 63 2/3 per ct of amt of bal due on note & entered to William Daugherty	4.22
" A. J. B. McElroy 63 2/3 per ct of amt due him for payment made on note to Martin Drake.	32.55
" Layd & Allen 63 2/3 per ct of amt of their account	13.37
" H. Morgan ^{Admrs} 63 2/3 per cent of amt due him on note	2.39
" P. Hagan 63 2/3 per ct of note to Jasper Stridger	2.33

Amount brought forward	\$310.30
To S. D. McElroy ^{Agent} for 63% per ct of amt paid by him to sundry creditors of said estate.	146.92
Total	\$456.22
To P. Hagan 63% per ct of note to Jasper Partridge	2.74
	\$458.56
Deduct over too much Casts this sum	2.17
	\$456.39

Statement of the Assets

Share due each Creditor of

McElroy & Co.

(S)

Wickerson S. McElroy
dec

Sale Bill of

Personal property

Recorded in Will
Book No 3 pages 264

Assd

William McElroy
 Decd.
 Sale Price of
 Personal Property

The following is a bill of the articles sold By
 me as the property of. Wilkerson. J. McElroy, decd.,
 at the late Residence of the same, to the highest
 Bidder together with the Amt. each article sold for
 on this the 2nd day of November 1867 also to whom
 sold To wit

one Barshear plow	\$6.00	} A. J. B. McElroy \$23.00
1 Hillside plow	2.00	
1 Drawing Knife	2.00	
1 Shovel dirt	., 25	
7 Shoats	11.00	
1 Mowing Scythe	1.75	} John McElroy \$1.00
1 plow Stock & fork	4.00	
1 3/4 Auger	.36 cts.	
1 Bay filly	130.50	} Alexander J. Arnold \$30.86
1 Auger	.60	
1 do	.85	} A. J. Stout — \$1.80
1 dirt shovel	.35	
1 carpenter's Square	1.50	} J. J. Cecil — \$1.50
The Remainder of Carp. tools	13.00	
1 pr Steelyards	1.50	} Henry Baumgardner 1.50
1 mattock	1.35	
1 Saddle	15.00	} J. A. Hubbard \$1.35
1 block	2.25	
1 double Bl. shot gun	9.75	} J. W. Orr — \$33.35
1 Rifle Barrel	5.10	
8 Sheep	16.25	

1 Watch	\$10.25 =	Charles Stout =	\$10.25
1 fifth chain	\$1.87 1/2 =	Jas Y Henry =	\$1.87 1/2
3 head hogs	\$2.00 =	Widow =	\$2.00
1 Bone Horse	\$132.00 =	John Baron =	\$132.00
1 White calf	\$5.10 =	Samuel Wilson =	\$5.10
9 Sheep	\$15.00 =	Calaway Hodge =	15.00

Amounting in all to \$388.58

Given under our hands the day and date
Above named



S. D. M. Esq. Adm.
J. A. Hubbard Crier

See County Court Clerks office May 28th 1868
The foregoing Sale bill or the personal property
of the estate of William S. McElroy
deceased was this day admitted to record
Teste Henry F. Morgan Clerk

Notice.

Virginia

At a court of quarter Sessions continued and held for
Lee County, at the Court house thereof on Saturday the 22nd
day of June 1872.

Litton Wood & Co

Pfeffer

In Chancery.

against
Samuel S. M. Elroy Adm'r & others Defts

On consideration of all which, it is adjudged,
ordered, and decreed, that James W. Orr be, and is hereby appoin-
ted a special Commissioner, whose duty it shall be to take, state
and settle the administration account of the Estate of Wilkerson
S. M. Elroy deceased, and marshal all the real and personal
assets belonging to said estate, and ascertain the outstanding
debts against said estate, after advertising the time and place
of his proceedings under this decree at least 20 days on the
front door of Lee Court house, and at some other public
place in said County, and he will make an account, and report,
and return the same to a future term of this Court, and the
Cause is continued.

A copy. Teste—James W. Orr, Clerk.

On Friday the 7th day of August 1872, at the Clerk's office of
Lee County Court, I will proceed to execute the above decree
when all persons interested in the matters thereof, are re-
quired to be present. Witness under my hand this the 18th
day of July 1872.

James W. Orr, Special
Commissioner.

Litten Wood & Co

vs. Burns Notice

Samuel D. McElroy
Adversely affected

Copy posted on Court house,
at Hickoryville & A. L. Layde's
Store, July 19th 1872.

The Commonwealth of Virginia :

TO THE SHERIFF OF LEE

COUNTY—GREETING :

WE command you to summon *Samuel S McElroy Administrator of the*
Estate of Wilkerson S McElroy, deceased, and Boyd M McElroy,
George S McElroy, Henry H McElroy, Emmett W McElroy, and
Mattie S McElroy infant heirs of said Wilkerson S McElroy deceased.

to appear at the clerk's office of the county court of Lee, at the court house, on the first
Monday in *May* next, being Rule day, to answer a bill in
chancery exhibited in our said court against *them* by *Andrew J Litton, John C*
Wood and Harney S Litton late Merchants and partners in trade
under the firm, name and style of "Litton Wood & Co" who sue for
the benefit of themselves and the other creditors of the Estate of
Wilkerson S McElroy deceased

and unless *they* shall answer the said bill within one month thereafter, the same will be
taken for confessed, and the said court will decree accordingly. And have then there this
writ. Witness, JAS. W. ORR, clerk of our said court at the court house, the *30th* day
of *May* 1872, in the 96th year of the Commonwealth.

James W Orr. Clerk.

10.4 1/2
Lillian Wood & Co

3 Spas in Chances

Samuel D. M. Elroy
Hc et als

May Rules 1872

May 16th 1872 Executed by deliver-
ing To Samuel M. Elroy
Mother & attested office
copy & & explaining the
same to not being at his
usual place of residence
C. L. Hambley

The Commonwealth of Virginia :

TO THE SHERIFF OF LEE

COUNTY—GREETING:

We command you to summon *Samuel D. McElroy Administrator of the Estate of Wilkerson S. McElroy deceased, and Baya M. McElroy, George S. McElroy, Henry H. McElroy, Emmet W. McElroy, and Melvin D. McElroy, infant heirs of said Wilkerson S. McElroy deceased, and Arthur J. B. McElroy.*

to appear at the clerk's office of the county court of Lee, at the court house, on the first Monday in *July* next, being Rule day, to answer a bill in chancery exhibited in our said court against *them* by *Andrew J. Litton, John D. Wood, and Harvey D. Litton late merchants and partners in trade under the firm name and style of "Litton Wood & Co" who sue for the benefit of themselves and the other creditors of the Estate of Wilkerson S. McElroy deceased*

and unless *they* shall answer the said bill within one month thereafter, the same will be taken for confessed, and the said court will decree accordingly. And have then there this writ. Witness, JAS. W. ORR, clerk of our said court at the court house, the *20th* day of *June* 1872, in the *30th* year of the Commonwealth.

James W. Orr, Clerk

LH 4 2m

Liton Wood & Co

vs 3/4 in Chancery

Samuel J. M. Clay, Adm
of the said

July Rules 1872

Executed by delivering
To J. H. B. & Co
attested office copy
C. J. Hamblen, Sec